

[Cite as *State v. Caskey*, 126 Ohio St.3d 109, 2010-Ohio-3232.]

**THE STATE OF OHIO, APPELLEE, v. CASKEY, APPELLANT.**

[Cite as *State v. Caskey*, 126 Ohio St.3d 109, 2010-Ohio-3232.]

*Discretionary appeal accepted, judgment of the court of appeals reversed on the authority of State v. Clayborn, and cause remanded to the court of appeals for further proceedings consistent with State v. Clayborn.*

(No. 2010-0602 — Submitted June 8, 2010 — Decided July 14, 2010.)

APPEAL from the Court of Appeals for Franklin County, No. 09AP-766,  
2010-Ohio-629.

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{¶ 1} The discretionary appeal is accepted.

{¶ 2} The judgment of the court of appeals is reversed on the authority of *State v. Clayborn*, 125 Ohio St.3d 450, 2010-Ohio-2123, 928 N.E.2d 1093, and the cause is remanded to the court of appeals for further proceedings consistent with *State v. Clayborn*.

BROWN, C.J., and PFEIFER, LUNDBERG STRATTON, O’CONNOR, O’DONNELL, LANZINGER, and CUPP, JJ., concur.

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Ron O’Brien, Franklin County Prosecuting Attorney, and Steven L. Taylor, Chief Counsel, Appellate Division, for appellee.

Yeura R. Venters, Franklin County Public Defender, and Paul Skendelas, Assistant Public Defender, for appellant.

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